

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: David R. Hanson	Attorney Docket No.: 155631.01
Application No.: 09/767,768	Group Art Unit: 2193
Filed: January 23, 2001	Examiner: Roche, Trenton J.
Customer No.: 22971	Confirmation Number: 2726
Title: Method and Apparatus for Facilitating Execution of Applications Accepting Local Path and URL Specified File Parameters	

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1460
Alexandria, VA 22313-1450

Dear Sir:

Applicants acknowledge the allowance of claims 1-18 in the subject application by the Examiner with appreciation. The Applicants agree with the Examiner's Statement of Reasons for Allowance to the extent that the claims of the present invention are patentable over the references in the record. The Applicants expressly traverse the Examiner's Statement of Reasons for Allowance to the extent that any comment is intended or has the effect of limiting a claim scope, explicitly or implicitly, by not reciting verbatim the respective claim language, or is intended or has the effect of limiting a claim scope by stating or implying that all the reasons for patentability are in any way fully enumerated.

More particularly, the Examiner states "the closest prior art of record, specifically, U.S. Patent 6,711,619 to Chandramohan et al. (hereinafter "Chandramohan"), taken alone or in combination, fails to teach or reasonably suggest a method for executing an application on a client computer in accordance with independent claim 4. Specifically, Chandramohan does not teach *accepting a manually specified execute command for an application entirely stored on the client computer, the execute command including a set of parameters, the set of parameters*

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including an identifier corresponding to the file data, wherein the data file is not executable...further wherein downloading the file data comprises transmitting to the remote server computer an identifier of executable code and at least one parameter used by the executable code to derive the file data. (claim 4). Similar limitations are recited in independent claims 1, 9, and 18.”

The examiner continues with, “instead, Chandramohan discloses a system for distributing and using portions of a computer-based application over a network. Sections of an application are streamed upon demand over a network for providing required functionality of the application. A user initiates execution of the partially available application, which in turn contacts a network server for distribution of the required code chunks. However, Chandramohan does not explicitly disclose or reasonably suggest accepting a manually specified execute command for an application stored entirely on the computer, the execute command including a set of parameters, the set of parameters including an identifier corresponding to the file data, wherein the data file is not executable, and transmitting to the remote server computer an identifier of executable code and at least one parameter used by the executable code to derive the file data as required by independent claims 1, 4, 9, and 18.”

However, it appears that the above noted Examiner’s Statement of Reasons for Allowance reiterate the Examiner’s arguments made during prosecution. By virtue of the Examiner’s allowance of the claims over the cited references and the associated arguments, it is believed that the previous arguments made by the Examiner have been overcome. Additionally, Applicants specifically do not acquiesce or agree in any manner as to the comments made by the Examiner regarding what Chandramohan does or does not disclose and further. Indeed, Applicants have pointed out the errors in the comments/arguments in Applicants’ Response to the Final Office Action.

The Applicants further point out that the reasons for allowance set forth by the Examiner are not the only reasons that the claims are allowable. Further reasons for allowance of the claims beyond those enumerated by the Examiner are described and set forth in the

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Applicants' specification. In addition, structures and methods that perform substantially the same function in substantially the same way to achieve substantially the same results are included within the scope of the claims.

Finally, as the Examiner's reasons for allowance are not exhaustive, such reasons for allowance do not establish an estoppel against Applicants seeking and obtaining allowance of additional, broader claims in a continuation application, which Applicants reserve the right to file.

Respectfully submitted,
Microsoft Corporation



Date: May 8, 2006

By: _____

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